

COMMISSIONERS
JEFF HATCH-MILLER - Chairman
WILLIAM A. MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES



EXECUTIVE DIRECTOR

22

ARIZONA CORPORATION COMMISSION

DATE: April 11, 2006

DOCKET NO: T-02929A-06-0135

TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Amy Bjelland. The recommendation has been filed in the form of an Order on:

DAVE FREMONT dba CHATEAU APARTMENTS

(CC&N CANCELLATION)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by **4:00 p.m.** on or before:

APRIL 20, 2006

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:

MAY 2 AND 3, 2006

For more information, you may contact Docket Control at (602)542-3477 or the Hearing Division at (602)542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

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AZ CORP COMMISSION
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BRIAN C. McNEIL
EXECUTIVE DIRECTOR

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 JEFF HATCH-MILLER, Chairman
4 WILLIAM A. MUNDELL
5 MARC SPITZER
6 MIKE GLEASON
7 KRISTIN K. MAYES

8 IN THE MATTER OF THE APPLICATION OF
9 DAVE FREMONT dba CHATEAU APARTMENTS
10 FOR THE CANCELLATION OF THE
11 CERTIFICATE OF CONVENIENCE AND
12 NECESSITY TO PROVIDE CUSTOMER-OWNED
13 PAY TELEPHONE SERVICE IN THE STATE OF
14 ARIZONA.

DOCKET NO. T-02929A-06-0135

DECISION NO. _____

ORDER

15 Open Meeting
16 May 2 and 3, 2006
17 Phoenix, Arizona

18 **BY THE COMMISSION:**

19 Having considered the entire record herein and being fully advised in the premises, the
20 Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

21 **FINDINGS OF FACT**

22 1. Dave Fremont dba Chateau Apartments ("Applicant") has a Certificate of
23 Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT")
24 service in the State of Arizona pursuant to Decision No. 59240 (August 30, 1995).

25 2. On March 7, 2006, Applicant filed with the Commission an application for
26 cancellation of its Certificate. Applicant indicated that it no longer provides COPT service in the
27 State of Arizona.

28 3. On March 29, 2006, the Commission's Utilities Division Staff ("Staff") filed a Staff
Report, recommending approval of the application to cancel Applicant's Certificate without a
hearing.

CONCLUSIONS OF LAW

1 Applicant is a public service corporation within the meaning of Article XV of the
Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

2 The Commission has jurisdiction over Applicant and the subject matter of the

1 application.

2 3. The cancellation of Applicant's Certificate is in the public interest.

3 4. Pursuant to A.R.S. § 40-282, the Commission may issue Decisions regarding COPT
4 Certificates without a hearing.

5 5. Staff's recommendation is reasonable and should be adopted.

6 **ORDER**

7 IT IS THEREFORE ORDERED that the application of Dave Fremont dba Chateau
8 Apartments for the cancellation of the Certificate of Convenience and Necessity to provide customer-
9 owned pay telephone service shall be, and is hereby, approved.

10 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

11 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

12
13
14 CHAIRMAN

COMMISSIONER

15
16
17 COMMISSIONER

COMMISSIONER

COMMISSIONER

18 IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive
19 Director of the Arizona Corporation Commission, have
20 hereunto set my hand and caused the official seal of the
21 Commission to be affixed at the Capitol, in the City of Phoenix,
22 this ____ day of ____, 2006.

23 BRIAN C. McNEIL
EXECUTIVE DIRECTOR

24 DISSENT _____

25
26 DISSENT _____

27 AB:mj

1 SERVICE LIST FOR: DAVE FREMONT dba CHATEAU APARTMENTS

2 DOCKET NO.: T-02929A-06-0135

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